

Applicants Response to Examiner's Comments

Claim Rejections – 35 USC § 102(b)

Examiner rejects Claims 1-3, 6 and 8-17 under 35 U.S.C. 102(b) as being anticipated by US Patent 5,718, 191 (“O’Donnell”).

5 Examiner states that O’Donnell teaches a protective cover 36 including a fabric and an attachment means 26. Examiner states as seen in the drawings, wherein the fabric of O’Donnell is inherently configured for transferring heat from a heat emitting structure. Examiners states the Applicant should note that the heat emitting structure is not positively claimed but only functionally claimed. Examiner states as seen in figure 4, a
10 pillow or padding is provided. Examiner states regarding Claim 14, an aperture 48 is provided and is capable of being used for hanging.

Applicant respectfully replies that the device of O’Donnell requires additional structural elements than the present invention and for objects not intended by the method of the present invention. In one aspect of distinction between the present invention and
15 the carrier 10 of O’Donnell, O’Donnell teaches of structures required to maintain an animal 23 safely within a volume while the carrier 10 is attached onto a vehicle 13 in motion. (See O’Donnell at Figures 1, 2, 3 and 4; col. 4, lines 21 through 37; col. 3, lines 59 through 61; and col. 6, lines 23 through 27.) The present invention, in contrast with O’Donnell, provides different structural elements that rely upon a surface of a vehicle 12
20 to support an animal while the vehicle 12 is at rest. (See Figure 1A; and Paragraph 0032 of the Application.)

More particularly, O’Donnell discloses the carrier 10 having a base portion 12 with a rigid board 42 comprised within the base portion coupled with a wall assembly.

(See Figures 3 and 4; and col. 5, lines 4 through 20 of O'Donnell.) The base portion 12 of the carrier 10 is further specified to consist of a resilient foam 40, wherein the resilient foam further presents four walls 14, 16, 18 & 20 that are required to safely contain the animal within the device 10 while a coupled vehicle is in transit. (See Figures 3 and 4; 5 col. 5 lines 4 through 20 and lines 46 through 49; and col. 6, lines 7 through 22 of O'Donnell.) O'Donnell further requires a pet harness 25 to maintain the animal within the device 10. (See Figure 1; and col. 6 lines 23 through 27 of O'Donnell.)

In patentable contrast, the present invention requires a flexible sheet of fabric 4 that has no walls projecting normally from the fabric 4, and wherein the fabric 4 contains 10 no internal rigid board. In additional patentable contrast, the present invention relies on a vehicle 12 upon which the fabric 4 is placed upon to support the fabric 4 and the weight of an animal resting on the fabric 4. (See Figures 1A and 2; and Paragraphs 0029 and 0033 of the Application.) In yet further additional contrast, the method of the present teaches away from restraining an animal to the fabric 4, and the present invention 15 therefore does not comprise or require the harness 25 of O'Donnell. (See Figures 1A and 2; and Paragraphs 0029, 0032 and 0033 of the Application.)

Referring to independent Claims 1 and 6 as currently amended, Applicant further respectfully notes that Claims 1 and 6 each recite an invented cover 2 having a looped strap 18 coupled with the flexible fabric 4, wherein the looped strap 18 is for detachable 20 coupling of the fabric to a mirror housing of a vehicle. (See Figures 1A and 2; and Paragraphs 0029, 0033, and 0042 of the Application.)

Applicant notes that O'Donnell makes no teaching or anticipation of looped straps 18 shaped for detachable coupling with a vehicular mirror housing. (See Figures 1A and 2; and Paragraphs 0029, 0033 and 0042 of the Application.)

O'Donnell further requires that the carrier 10 have the extra elements of (1.) walls 5 extending from a base 12, (2.) a rigid board 42 within the device 10, and (3.) a pet harness 25. (See Figures 3 and 4; and col. 5, lines 4 through 20 of O'Donnell.)

O'Donnell clearly teaches away from the simplicity of the invented cover 2 as recited in Claims 1 and 6, wherein the invented cover 2 has merely a sheet of fabric 4, and respectively one or two looped straps for detachable coupling of the fabric 4 to a mirror 10 housing of a vehicle 12. (See Figures 1A and 2; and Paragraphs 0029, 0033 and 0042 of the Application.)

Applicant respectfully argues that Examiner's rejections of Claims 1 and 6 under 35 USC 102 are traversed, and respectfully submits that Claims 1 and 6 are allowable.

Applicant further respectfully submits that Claims 2, 3, 7, 8, and 9 are allowable 15 as depending directly from allowable independent Claim 1.

Regarding Claim 10, O'Donnell teaches only of a base portion 12 that presents an orthogonal shape, and makes no disclosure nor anticipation of a base portion 12 shaped in an outline of a cartoon character, a signage or a logo as recited in Claim 10. As O'Donnell requires walls 14, 16, 18 & 20 extending orthogonally from the base 12, 20 O'Donnell discloses exclusively of a base portion 12 preferably having an orthogonal shaped. (See Figures 3 and 4; and col. 5, lines 4 through 20 of O'Donnell.) In patentable contrast, the fabric 4 of the invented cover 2 has only an attachment means 22 coupled with the fabric 4, whereby the fabric 4 may be shaped in non-orthogonal outlines without

complicating the manufacturing cost or deployment of the fabric 4. (See Figures 1A and 2; and Paragraphs 0029, 0033 and 0042 of the Application.)

Applicant respectfully argues that Examiner's rejection of Claim 10 under 35 USC 102 is traversed, and respectfully submits that Claim 10 is allowable.

5 Applicant further respectfully submits that Claims 11 and 13 are allowable as depending directly from allowable Claim 10.

Referring to independent Claim 14 as currently amended, Applicant further respectfully notes that Claim 14 recites an invented cover 2 having a looped strap 18 coupled with the flexible fabric 4, wherein the looped strap 18 is for detachable coupling 10 of the fabric to a mirror housing 20 of a vehicle 12. (See Figures 1A and 2; and Paragraphs 0029, 0033 and 0042 of the Application.)

Applicant notes that O'Donnell makes no teaching or anticipation of looped straps 18 shaped for detachable coupling with a vehicular mirror housing 20. O'Donnell further requires that the carrier 10 have the extra elements of (1.) walls extending from a base 12, 15 (2.) a rigid board 42 within the device 10, and (3.) a pet harness 25. (See Figures 3 and 4; col. 5 lines 4 through 20 and lines 46 through 49; col. 6, lines 7 through 22 and lines 23 through 27 of O'Donnell.) O'Donnell clearly teaches away from the simplicity of the invented cover 2 as recited in Claims 1 and 6, wherein the invented cover 2 has merely a sheet of fabric 4, and respectively one or two looped straps for detachable coupling of the 20 fabric 4 to a mirror housing 20 of a vehicle 12. (See Figures 1A and 2; and Paragraphs 0029, 0033 and 0042 of the Application.)

Applicant respectfully argues that Examiner's rejection of Claim 14 under 35 USC 102 is traversed, and respectfully submits that Claim 14 is allowable.

Referring to independent Claim 15 as currently amended, Applicant further respectfully notes that Claim 15 as currently amended recites an element of a plurality of magnets 32 coupled with the fabric 4, and submits that Claim 15 as currently amended is allowable as Claims 18-20 are allowed. (See the Application at Figure 2 and Paragraphs 5 0013 and 0033.)

Applicant further respectfully submits that Claims 16 and 17 are allowable as depending directly from allowable independent Claim 15.

Claim Rejections – 35 USC § 103

Examiner rejects Claims 4, 5 and 7 under 35 U.S.C. 103(a) as being unpatentable over O'Donnell (US Patent 5,718,191). Examiner states O'Donnell does not teach the use of a material emitting an odor pleasant to at least some animals. Examiner states in regards to claims 4 and 5, the use of catnip is a notoriously well known material which emits an odor pleasant to some animals, such as cats, and the use of such with the reference to O'Donnell, is believed to be obvious to a person of ordinary skill in the art at 15 the time the invention was made. Examiner states regarding claim 7, the specific dimensions is considered to be an obvious matter of choice in mechanical design to a person of ordinary skill in the art at the time the invention was made.

Referring to independent Claim 4 as currently amended, Applicant further respectfully notes that Claim 4 as currently amended recites a pair of looped straps 18 attached to the flexible fabric 4, wherein the looped straps 18 are each configured for detachable coupling of the fabric to a mirror housing of a vehicle, and an additional element of a strapping extending from the fabric 4, wherein the strapping is configured

for detachable securing of the fabric to a feature of the vehicle 12. (See Figures 1A and 2; and Paragraphs 0029, 0033 and 0042 of the Application.)

In further regards to independent Claim 4, Applicant respectfully refers to arguments presented above in reference to the allowability of independent Claims 1 and 5 6, and further notes that O'Donnell makes no disclosure, teaching or anticipation of an additional strapping 30 for detachably securing the planar fabric 4 to a feature of the automotive vehicle 12 in combination with a pair of looped straps 18. (See Figures 1A and 2; and Paragraphs 0029, 0033 and 0042 of the Application.)

10 Applicant respectfully argues that Examiner's rejection of independent Claim 4 under 35 USC 103 is traversed, and respectfully submits that Claim 4 is allowable.

Applicant further respectfully submits that Claim 5 is allowable as depending directly from allowable independent Claim 4.

Applicant further respectfully submits that Claim 7 is allowable as depending directly from allowable independent Claim 1.

15 ***Allowable Subject Matter***

Applicant notes that Examiner allows Claims 18-20.

Conclusion and Allowability of Claims

Applicant respectfully submits that the Claims 1 through 11 and 13 through 20 20 as currently amended are allowable.

If any matters can be resolved by telephone, Applicant requests that the Patent and Trademark Office call the Applicant at the telephone number listed below.

Respectfully submitted,

By: /PATRICK REILLY/
Patrick Reilly
Reg. No. 37,427

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Patrick Reilly
Patent Attorney
Box 7218
Santa Cruz, CA 95061-7218
10 (831) 332 7127